

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORTH CAROLINA NAACP, et al.,

*Plaintiffs,*

v.

NORTH CAROLINA STATE BOARD OF  
ELECTIONS, et al.,

*Defendants.*

No. 1:16-cv-1274

**[AMENDED] APPLICATION FOR TEMPORARY RESTRAINING ORDER**

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**[AMENDED] APPLICATION FOR TEMPORARY RESTRAINING ORDER**

Pursuant to FRCP 65, Plaintiffs North Carolina State Conference of the NAACP (“North Carolina NAACP”) and Moore County Branch of the NAACP (“Moore County NAACP”) (collectively “organizational Plaintiffs”), as well as Plaintiffs James Michael Brower, Grace Bell Hardison, James L. Cox, and James Edward Arthur, Sr., apply *ex parte* for a Temporary Restraining Order (“TRO”) enjoining the North Carolina and County Boards of Elections from cancelling the voter registrations of thousands of North Carolina voters who have been targeted in coordinated, *en masse* challenge proceedings brought in the final weeks and months before Election Day, and whose right to vote has been challenged solely on the basis of a single piece of undeliverable mail, in clear violation of the National Voter Registration Act (“NVRA”) and other federal laws.

On October 29, 2016, Plaintiffs notified the General Counsel for the North Carolina State Board of Elections and a Senior State Deputy Attorney General of this impending lawsuit and TRO application, and that Plaintiffs would be requesting a November 1 TRO hearing. On October 30, 2016, Plaintiffs sent e-mail notice to contact information Plaintiffs could locate for the Defendant County Boards of Elections Directors and counsel with the same information. Plaintiffs have not received any responses from the county BOEs, and the SBOE attorneys have responded but not stated a position regarding the proposed TRO or on the request for a November 1 TRO hearing. Plaintiffs are now in the process of confirming contact information for Defendant County

Boards and counsel, and are sending the papers filed this morning to all Defendants. Plaintiffs request a Tuesday, November 1, 2016 hearing for argument on this TRO application so that voters' rights may be restored before the November 8 election.

This *ex parte* application is based on this application, the attached Memorandum of Points and Authorities, the Declarations of Rev. Dr. William J. Barber II, O'Linda D. Watkins, James Edward Arthur Sr., Lauren Bonds, James Michael Brower, Hannah Cole, James L. Cox, Grace Bell Hardison, Luke Taylor and Veronica Ward, and the exhibits thereto, the Motion for Leave to Exceed Page Limits, the proposed order lodged here, the pleadings and papers on file with the Court, and any further briefing and arguments of counsel.

Dated: October 31, 2016

Respectfully submitted,

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